

ZB# 06-08

Elizabeth Hornsberger

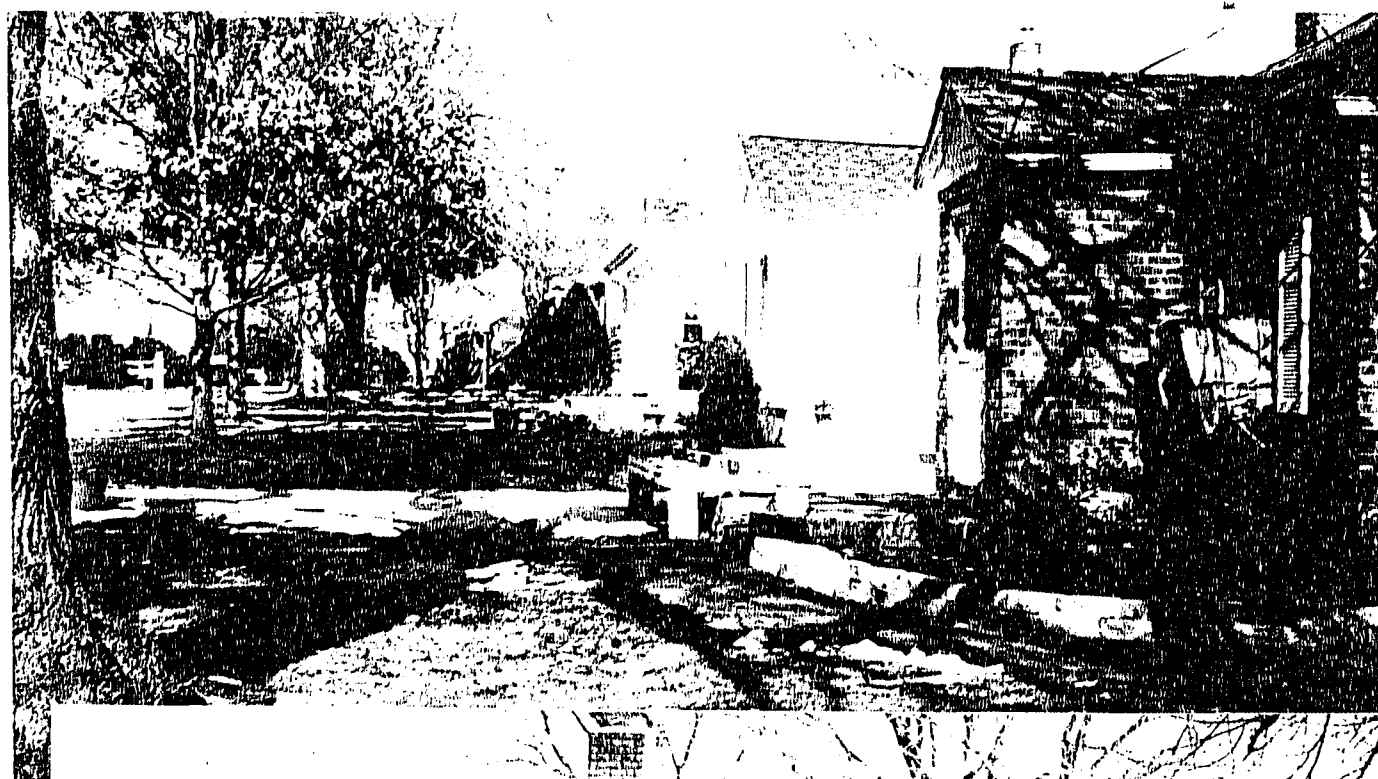
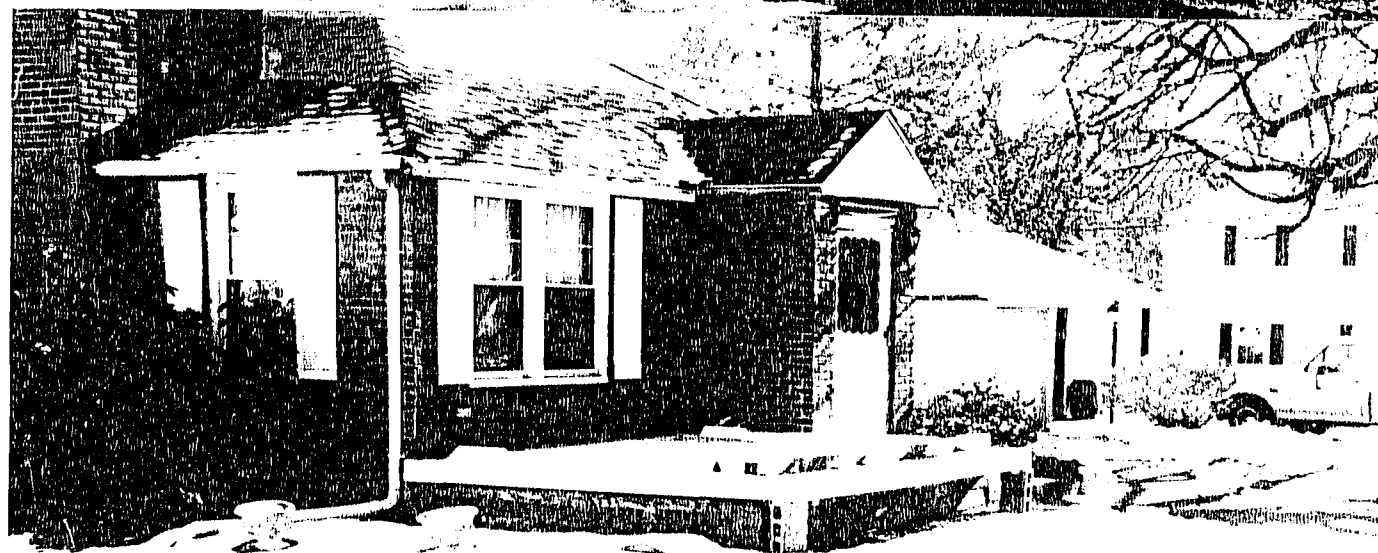
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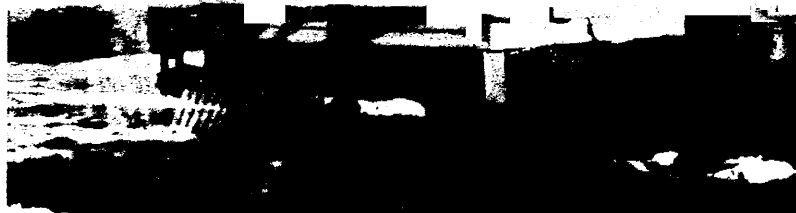
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
April 10, 2006 - Granted

Elizabeth Hoenesberger
117 Chestnut Dr. (Akers)

ZBA

06-08





NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 17-2-16

In the Matter of the Application of

ELIZABETH HORNSBERGER

MEMORANDUM OF
DECISION GRANTING

AREA

CASE #06-08

WHEREAS, Daniel Buscemi represented, owner(s) of 117 Chestnut Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an existing front porch with roof at 117 Chestnut Drive in an R-4 Zone

WHEREAS, a public hearing was held on APRIL 10, 2006 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Daniel Buscemi represented the Applicant by appeared on behalf of this Application; and

WHEREAS, there were three spectators appearing at the public hearing; and

WHEREAS, three persons spoke in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties in an R-4 zone.
 - (b) The applicant seeks permission to put a front porch like structure on the front of her home.
 - (c) The applicant will not be cutting down any trees or substantial vegetation in construction this porch.

- (d) The structure will not create any water hazards or runoffs.
- (e) While the structure causes the house to project closer to the road than the existing house, it does not project closer to the road than other homes in the neighborhood.
- (f) There have been no complaints, either formally or informally about the porch.
- (g) The structure will not be built on top of nor will it interfere with any easements or rights-of-way including, but not limited to, water, sewer and electrical easements.
- (h) In building the porch the applicant will not create the ponding or collection of water or divert the flow of water drainage.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance(s) on the conditions that:

1. The structure be built according to engineering plans, and
2. The structure be in accordance with the requirements of the Town of New Windsor Law and the New Windsor Building Inspector, and
3. The structure be sound and the roof be sound so that it will not come down in a heavy wind.

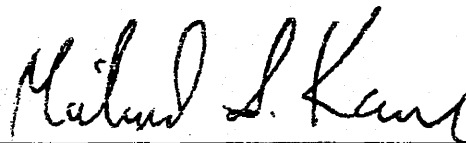
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 23 ft. Front Yard Setback for existing front porch with roof at 117 Chestnut Drive in an R-4 Zone (17-2-16) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: April 10, 2006



Chairman

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

COPY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: January 13, 2006

**APPLICANT: Elizabeth Hornsberger
117 Chestnut Drive
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 1/4/06

FOR : Front porch metal roof 10'x12'

LOCATED AT: 117 Chestnut Drive

ZONE: R-4 Sec/Blk/ Lot: 17-2-16

DESCRIPTION OF EXISTING SITE: One family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Existing 10x12 ft. front porch with roof over does not meet minimum 45' front yard set-back.**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: Bulk Tables 6-E

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD: 45" 22' 23'

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

COPY

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

JAN 04 2006

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: 2006-5

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Elizabeth Hornsberger

Address 117 Chestnut Drive Phone # 845-565-2617

Mailing Address 1016 North Trade Way Fax # _____

Name of Architect Comme Engineering

Address 1016 North Trade Way STA Newington Phone # 845-567-1177

Name of Contractor Rainbow Construction CR 10

Address 2207 Rt 55 White Lake

Phone 845-583-6683

State whether applicant is owner, lessee, agent, architect, engineer or builder contractor

If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the West side of Chestnut Drive
(N, S, E or W)
and 300 feet from the intersection of Chestnut Dr Rt 94

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 17 Block 16 2 Lot 2 16

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy residential b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☒ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? No

front porch metal roof

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$1500

Fee \$50-

CH# 434

PAID

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi & Louis Kryohear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4885 FAX

Blgd Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

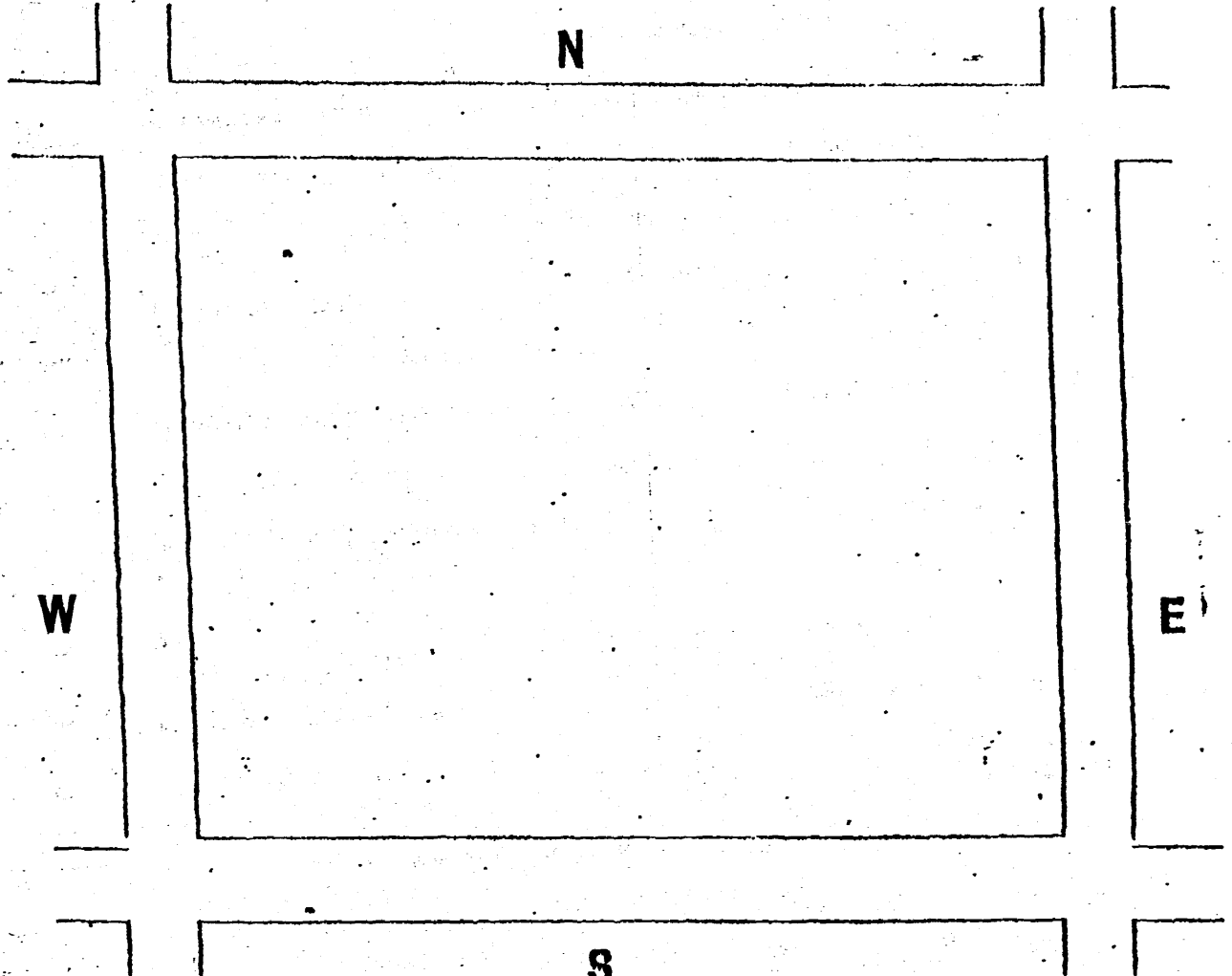
Edmond J. Busceni
(Signature of Applicant)

2602 RD 55 White Lake NY 1286
(Address of Applicant)

X E. Elizabeth A. Houshager 417 Chestnut Drive New Windsor NY
(Owner's Signature)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



LAUREL DR.

CHESTNUT STREET

HOLLY DRIVE

PINE STREET

STATE HWY. NO. 94

QUASSAIC

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TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: MAY 31, 2006
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 130.89 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #06-08

NAME & ADDRESS:

Elizabeth Hornsberger
117 Chestnut Dr.
New Windsor, NY 12553

THANK YOU,

MYRA

Mei
5/31/06

L.R.05-31-06



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS



FILE #06-08 TYPE: AREA TELEPHONE: 565-2617

APPLICANT:

Elizabeth Hornsberger
117 Chestnut Dr.
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK #519
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK #520



<u>DISBURSEMENTS:</u>		MINUTES \$7.00 / PAGE	ATTORNEY FEE
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PRELIMINARY:	<u>4</u>	PAGES	\$ <u>28.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>8</u>	PAGES	\$ <u>56.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date: 3/28/06 \$ 15.11

TOTAL: \$ 99.11 \$ 70.00



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 169.11

AMOUNT DUE: \$ _____

REFUND DUE: \$ 130.89

Cc:

L.R. 05-31-06

March 13, 2006

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ELIZABETH_HORNSBERGER_(06-08)

MS. GANN: I want to clarify to the audience that we usually have two meetings, one's a preliminary hearing where you come, you state your case as to why you're here and then you have to come back for a second meeting called a public hearing, okay, so that's pretty much, you know, two meetings that we do have here. So the next order of business is Elizabeth Hornsberger. Please step forward and please tell us why you're here this evening.

Mr. Ed Buscemi from Rainbow Construction and Ms. Elizabeth Hornsberger appeared before the board for this proposal.

MR. BUSCEMI: I want a variance for her to put up this roof that was up here before.

MR. LUNDSTROM: Is that a photograph that we have copies of?

MS. HORNSBERGER: Yes.

MR. BUSCEMI: The roof collapsed during a wind storm back early winter September fall and before we put it back up we've got to go through regulations.

MS. LOCEY: You say it was non-conforming now that it's come down you need--

MR. BUSCEMI: It wasn't put up properly in the first place with a building permit.

MS. GANN: Are you looking to build out on the home as well?

MR. BUSCEMI: No, that roof that, that's, this was originally up here, however, when she had to put up--

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MS. LOCEY: I was just asking if the existing roof that had come down was non-conforming and that's why they need to get a variance now I think that's true.

MS. GANN: Okay.

MS. LOCEY: So no other construction to the house, just--

MS. HORNSBERGER: Putting up this roof.

MS. LOCEY: Same size?

MR. BUSCEMI: Same, same exact roof.

MS. HORNSBERGER: It's got two columns.

MR. BUSCEMI: If you have the drawings by Cuomo Engineering, the roof itself, just a matter of lifting it up and replacing the columns so--

MR. LUNDSTROM: Will this involve closing that deck or is it just putting a roof on it?

MS. HORNSBERGER: No, just roof on it.

MR. LUNDSTROM: With two columns supporting the far ends and the roof is attached to the house on the other end?

MR. BUSCEMI: Attached with lags to the soffit and then it's going to have columns in the front.

MS. LOCEY: Similar to other roofs, porches, covered porches in the area?

MR. BUSCEMI: With the exception of it's a metal roof in this situation.

MS. LOCEY: About the same size and shape?

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MR. BUSCEMI: Yeah, I believe it's 10 x 10.

MR. LUNDSTROM: So it's not a shingle roof, it's a metal roof?

MR. BUSCEMI: Yes.

MR. LUNDSTROM: Was it metal before?

MR. BUSCEMI: Same as before just lifting it back up.

MS. HORNSBERGER: It was already existing.

MS. GANN: There's no easements that it goes over that you know of?

MS. LOCEY: Porch itself is not over any easements?

MS. HORNSBERGER: No.

MS. LOCEY: But I know it sounds ridiculous but we're supposed to ask these questions, are you cutting down any trees or substantial vegetation but since it's a roof, none of those really apply, is that true?

MS. HORNSBERGER: Yes.

MS. GANN: I'll accept a motion.

MR. LUNDSTROM: I will move that the application for Elizabeth Hornsberger's request for 23 foot front yard setback for existing front porch with roof at 117 Chestnut Drive in an R-4 zone, section, block and lot 17-2-16 be approved and allowed to go to a public hearing.

MS. LOCEY: I will second that motion.

ROLL CALL

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MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MS. GANN	AYE

PUBLIC HEARINGS:

ELIZABETH_HORNSBERGER_(06-08)

MR. KANE: Request for 23 ft. front yard setback for existing front porch with roof at 117 Chestnut Drive.

Mr. Dan Buscemi appeared before the board for this proposal.

MR. BUSCEMI: Dan Buscemi, Rainbow Construction. I was actually hoping to put the roof back up for her, she asked me if I'd help her out.

MS. MASON: We do have a proxy.

MR. KANE: Tell us what you want to do, sir.

MR. BUSCEMI: Looking at the pictures there I want to put that roof right back up to where it is, was apparently back in '74 when the roof was placed, she didn't get the permit or go through proper channels to have the roof put in. Last year she had a contractor come out, replace the footings, never bolted it to the porch, the existing porch that's there so a wind storm took it down and trying to replace it when I found out it wasn't put up in the first place properly.

MR. KANE: This whole construction area right here?

MR. BUSCEMI: Yeah, this is actually the roof that's going to go straight up bolted here and here to the side.

MR. KANE: All that white is the roof right there?

MR. BUSCEMI: Right and the porch is I think a foot and a half smaller than that roof.

MR. KANE: You may not know the answer to some of the

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questions, just answer as best you can, we have to ask them in any case, cutting down any trees or substantial vegetation in the building of this deck?

MR. BUSCEMI: No.

MR. KANE: Creating any water hazards or runoffs?

MR. BUSCEMI: No.

MR. KANE: The deck itself is going to extend a little bit further than the front of the house, does it extend passed the front of the house on anybody else on that side of the street?

MR. BUSCEMI: The deck or the roof or are you talking about the porch itself? There's no change.

MR. KANE: But the front part of it doesn't extend any further than any other homes on that block?

MR. BUSCEMI: Two houses down is the same one, the only difference being they have a wood structure rather than metal.

MR. KANE: Do you know how long the roof was on?

MR. BUSCEMI: She told me 1974.

MR. KANE: Do you know if there were any complaints formally or informally about the roof?

MR. BUSCEMI: No, I don't know.

MR. KANE: Mike, anything on record?

MR. BABCOCK: No.

MR. KANE: At this point, I will open it up to the public and ask if there's anybody here for this

particular hearing, hold on one second, we're going to get a sheet out just so you can write your name and address for the stenographer so she has it. Could you stand up, state your name and address and ask what question or whatever?

MR. D'AMBROSIO: Carmine D'Ambrosio, 115 Chestnut Drive. As far as that it does pass the front of my house, the porch does, this, it's an awning that like it came from a trailer, really shouldn't be on a front of a house, it's an awning that collapsed and she said she's going to put the same thing right back up and it's really not right for the area or the type of porch in the front of the house. May I approach?

MR. KANE: Please.

MR. D'AMBROSIO: She said she's putting the same thing up again, doesn't look right.

MR. KANE: Do you have any pictures at all of it up before it came down?

MR. D'AMBROSIO: No.

MR. KANE: Any specific specs as to what they can use as an awning?

MR. BUSCEMI: There is no drain on it or anything, there's a built-in gutter system on the roof.

MR. D'AMBROSIO: What were you going to put for the floor, it's all brick on it and slab?

MR. BUSCEMI: The front is brick and the top is a flagstone, there's no change other than drilling for the columns.

MR. D'AMBROSIO: It's all shungad (sic.), that's what I'm saying, will you be--

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MR. LUNDSTROM: Can we get an interpretation of shungad?

MR. KANE: No, I can't.

MR. BUSCEMI: I can't talk my customers into spending more money.

MR. KANE: You live right next door?

MR. D'AMBROSIO: Yes.

MR. KANE: Any other questions?

MR. D'AMBROSIO: No, that's basically it.

MS. SECRETO: I didn't hear all, my question is, my question would be are they going to replace the bottom part?

MR. D'AMBROSIO: He said no.

MR. KANE: State your name, we're a little organized.

MS. SECRETO: Stephanie Secreto.

MR. KANE: Do you have anything else?

MRS. D'AMBROSIO: Just aesthetically, it's dangerous, Doreen D'Ambrosio, I live next door to Mrs. Hornsberger too, when it blew down, it could have killed somebody, it's an old piece of sheet metal, she discussed it, she's putting the same thing right back up, aesthetically it doesn't belong on the front of a house, second of all, it's dangerous.

MR. D'AMBROSIO: It's not for the front of a house.

MR. BUSCEMI: With what he said aesthetically it's not

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my preference either but as far as structure my understanding is the way it was explained to me she had a guy who replaced the columns.

MR. D'AMBROSIO: That was my next question.

MR. BUSCEMI: Never bolted it to the floor.

MR. D'AMBROSIO: He didn't bolt it to the top when it lifted up.

MR. BUSCEMI: It was bolted to the top, it actually ripped off.

MR. D'AMBROSIO: Bottom is all rotted out.

MRS. D'AMBROSIO: There's nothing to bolt it to cause the bottom's all rotted out.

MR. BUSCEMI: They do sell adaptors, the columns that she's using supports it.

MR. KANE: We need your address.

MS. SECRETO: Stephanie Secreto, I live at 121 Chestnut Drive, I'm on the other side of Mrs. Hornsberger's house, I would ditto what they said, I don't think it's safe the day that it blew down, it was very dangerous, it's heavy, just ripped right out and I just have the same comment.

MR. TORPEY: How big is the structure?

MR. BABCOCK: Ten by twelve.

MR. BUSCEMI: I had an engineering out there just to assure that the methods to support it again to go through the process and building permit I had an engineer come out take a look at it, take a look at the columns that she chose to use, see if it would support

the weight and it will.

MR. KANE: Anybody else for the public hearing for this particular hearing? Okay, I'll close the public portion of the meeting and ask Myra how many mailings we had?

MS. MASON: On March 23, I mailed out 65 addressed envelopes and had no response.

MR. KANE: The roof itself that's what they're talking about is that a standard roof that you can, that's made to go outside of a home or are we taking something and just sticking it up with posts on it?

MR. BUSCEMI: No, it's designed, the manufacturer's design on it is to go outside a home, back in 1974, it is a corrugated metal roof wrapped in aluminum square stock.

MR. KANE: Mike, do we have, are there any regulations that we need to think about with the construction of this?

MR. BABCOCK: The problem we have is that they did get an engineer to go out there and he's saying, you know, he's saying that there's certain guidelines that they have to follow to put it back up, what size screws, anchors and so on and so forth and he drew a sketch of it and he's saying that as long as they follow this procedure it's fine.

MR. KANE: Any other questions from the board?

MR. TORPEY: Can't make it look nice, huh?

MR. BUSCEMI: The top part I'm going to redo the best that I can, the bottom it's entirely up to her, I can't go into somebody's home and say look, you've got to pick this, I understand their point.

MR. TORPEY: Can't match the house?

MR. BUSCEMI: No, it's metal going up against a brick house, I gave her one of the options of doing the wood structure with decorator columns a little wider, unfortunately cost factor was an issue for her so--

MR. TORPEY: She didn't want a porch behind the house, right?

MR. BUSCEMI: I can't make her do it.

MR. KANE: I'll accept a motion.

MS. LOCEY: It's my understanding and please let me know if I'm incorrect that the applicant is here for a variance as far as rear yard footage, setback?

MR. BUSCEMI: The front.

MS. LOCEY: Not the aesthetics and we have to be under the assumption, we have to know as does the applicant that all building codes must be complied with, something unsafe isn't going to be allowed by the building department, but that's a decision that's not part of this hearing.

MR. KANE: Correct.

MS. LOCEY: We're here strictly to determine if we will or will not grant this variance, is that correct?

MR. KANE: Correct.

MR. BUSCEMI: Can I just say regarding the concerns I have already submitted the insurance that I have on the building permit application and I took, the engineer came out, if there's a structural question, they're going to be resolved before the roof goes up.

April 10, 2006

16

MS. LOCEY: And again we're here to discuss this two foot variance.

MR. KANE: This has to deal with the porch too, it's the porch.

MR. LUNDSTROM: Also to amplify that we're not an architectural review board, we're a ZBA.

MR. KANE: Correct.

MR. LUNDSTROM: With that in mind, I'd like to make a motion that the application for Elizabeth Hornsbeger's request for 23 foot front yard setback for existing front porch with roof at 117 Chestnut Drive in an R-4 zone, section block and lot 17-2-16 be approved with the conditions that the structure be built according to the engineer, according to the building department and that the structures itself be sound and the roof be sound so that does not happen again where it comes down in heavy wind.

MS. LOCEY: I'll second that motion.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE



THE SENTINEL

P.O. BOX 406
VAILS GATE, NY 12584

Invoice

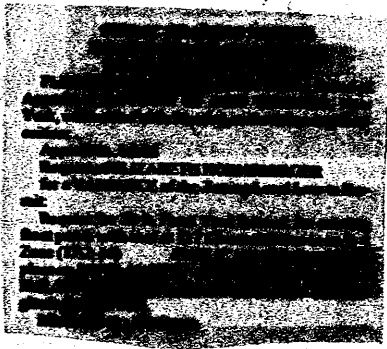
Date	Invoice #
4/24/2006	7569

Bill To
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

P.O. No.	Terms	Project
44354	Due on receipt	

Issue Date	Description	PCS/Units	Amount
3/28/2006	LEGAL ADS: APPEAL NO. 06-08 2 AFFIDAVITS	7.11 8.00	7.11 8.00
RECEIVED MAY - 1 2006 TOWN OF NEW WINDSOR COMPTROLLER'S OFFICE			
Total			\$15.11

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845)
562-1218



State of New York

County of Orange, ss:

Lucas Ladlee being duly

sworn disposes and says that he is The

Supervisor of Legal Dept. of the E.W. Smith
Publishing Company; Inc. Publisher of The
Sentinel, a weekly newspaper published and
of general circulation in the Town of New

Windsor, Town of Newburgh and City of

Newburgh and that the notice of which the
annexed is a true copy was published 1x

in said newspaper, commencing on

the 29 day of Mar. A.D., 2006

and ending on the 28 day of Mar.

A.D. 2006

Lucas W. Ladlee

Subscribed and shown to before me

this 25th day of April, 2006

Deborah Green

Notary Public of the State of New York

County of Orange.

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4884065
Commission Expires July 15, 2007

My commission expires

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

PUBLIC HEARING FOR: Elizabeth Hornsberger

DATE: April 10, 2006

SIGN-IN SHEET

NAME	ADDRESS	PHONE NUMBER
1. <u>Carmina + Doan D'Ambrosio</u>		<u>605-5316</u>
2. <u>Stephanie Secreto</u>		<u>863-1023</u>
3. _____		
4. _____		
5. _____		
6. _____		
7. _____		
8. _____		
9. _____		
10. _____		
11. _____		
12. _____		
13. _____		
14. _____		
15. _____		
16. _____		
17. _____		
18. _____		
19. _____		
20. _____		



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

WHAT IS NEXT.....

The Zoning Board has just voted to grant your "Request for Variance". The Building Department will contact you within a few days to discuss how to finalize your Building Permit Application.

Within the next few weeks and/or when all charges are received, you will be receiving the balance remaining in your escrow account that was posted upon application to the Zoning Board. You will also be receiving a copy of the "Formal Decision" for this application for your files.

IF YOU HAVE CHANGED YOUR ADDRESS SINCE APPLICATION WAS SUBMITTED, PLEASE NOTIFY THE ZONING BOARD SECRETARY AT THE ABOVE TELEPHONE NUMBER SO THAT YOUR FORMAL DECISION AND ESCROW BALANCE CAN BE SENT TO YOU WITHOUT DELAY.

If you have any questions with regard to the above, please feel free to contact me.

Thank you,

Myra Mason,
Secretary to the ZBA



RESULTS OF Z.B.A. MEETING OF: April 10, 2006

PROJECT: Elin. Hornsberger ZBA # 06-08
P.B.# _____



USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒
VARIANCE APPROVED: M) Lu S) Lo VOTE: A 5 N 0.

★
GANN A
LUNDSTROM A
LOCEY A
TORPEY A
KANE A

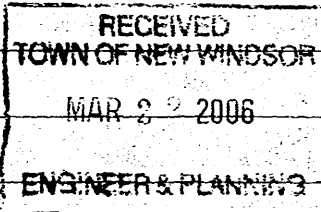
CARRIED: Y ☒ N _____

Carmine D'Ambrosio - Spoke re. awning - showed pictures
Mrs. D'Ambrosio - " " " Being dangerous
Stephanie Lerano - Spoke re danger of roof
Engineer Report in Building Dept. File

March 22nd

I Elizabeth Horsdager give
my contractor, Edwin Schenley,
authorizations to Represent me
at the ZBA Meeting

Elizabeth Horsdager



AFFIDAVIT OF MAILING

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X
In the Matter of the Application for Variance of

ELIZABETH HORNSBERGER

AFFIDAVIT OF
SERVICE
BY MAIL

#06-08

X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 23RD day of **MARCH**, 2006, I compared the 65 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

23rd day of March, 20 06

J. J. McCallaghan
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified in Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

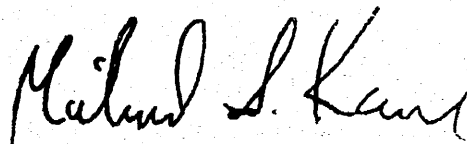
Appeal No. 06-08

Request of ELIZABETH HORNSBERGER

for a VARIANCE of the Zoning Local Law to Permit:

Request for 23 ft. Front Yard Setback for existing front porch with roof at 117 Chestnut Drive in an R-4 Zone (17-2-16)

PUBLIC HEARING will take place on APRIL 10, 2006
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

March 23, 2006

Elizabeth Hornsberger
117 Chestnut Dr.
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #06-08

Dear Ms. Hornsberger:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The charge for publication in the Sentinel will be deducted from your escrow that was posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

117 Chestnut Drive
New Windsor, NY

is scheduled for the April 10th, 2006 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#233-2006

03/23/2006

Hornsberger, Elizabeth

Received \$ 60.00 for Assessors List, on 03/23/2006. Thank you for stopping
by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

March 21, 2006

Elizabeth Hornsberger
117 Chestnut Drive
New Windsor, NY 12553

Re: 17-2-16 ZBA#: 06-08 (65)

Dear Mrs. Hornsberger:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$85.00, minus your deposit of \$25.00.

Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

9-1-78.1

Lynne & John Baker II
3212 NYS Route 9W
New Windsor, NY 12553

14-3-2

3250 Route 9W Assoc. LLC
3250 Route 9W
New Windsor, NY 12553

14-4-5.1

Thaddeus Malinowski
101 Chestnut Drive
New Windsor, NY 12553

14-4-8

John & Mary Jane Kaknis
107 Chestnut Drive
New Windsor, NY 12553

14-5-1

State of New York – Comptroller
Colin Campbell – 5th Floor
Alfred E Smith Building
Albany, NY 12236

14-5-5

Ruth Fraas
115 Quassaick Avenue
New Windsor, NY 12553

16-1-9

Joseph & Lynda Cherek
130 Quassaick Avenue
New Windsor, NY 12553

17-1-4

Walter & Arlene Ryan
110 Chestnut Drive
New Windsor, NY 12553

17-1-7

Darren Fogarty
116 Chestnut Drive
New Windsor, NY 12553

17-1-10

William & Brian Hotaling
125 Quassaick Avenue
New Windsor, NY 12553

9-1-78.21

Dr. Paul & Manolita Latonero
746 Hewitt Lane
New Windsor, NY 12553

14-4-3

Lynn & Troy Hughes
1808 Cortland Drive
Newburgh, NY 12550

14-4-6

Anna & George Barnett, Jr.
103 Chestnut Drive
New Windsor, NY 12553

14-4-9

James O'Neill, John O'Neill, Jr.
Maureen Mennerich
109 Chestnut Drive
New Windsor, NY 12553

14-5-2

William Carey
c/o Rev. P.A. Carey
165 Bennett Avenue – Apt 6-C
New York, NY 10040

14-6-1

Calvary Cemetery
c/o St. Patrick's Church
55 Grand Street
Newburgh, NY 12550

17-1-1

Clayton & Carolann Ventura
117 Quassaick Avenue
New Windsor, NY 12553

17-1-5 & 17-2-2

Susan D'Egidio
112 Chestnut Drive
New Windsor, NY 12553

17-1-8

Georgann Betters
103 Pine Drive
New Windsor, NY 12553

17-1-11

John & Carol Sarcka
123 Quassaick Avenue
New Windsor, NY 12553

9-1-78.232

Eastern Harbour Assoc., L.P.
401 South Water Street
Newburgh, NY 12550

14-4-4

Patrick Mahan, Jr.
111 Quassaick Avenue
New Windsor, NY 12553

14-4-7

Nicholas Valentine
3211 NYS Rte. 9W
New Windsor, NY 12553

14-4-10

Pasquale Macri
101 Laurel Drive
New Windsor, NY 12553

14-5-3

Frank & Margaret Colone
106 Chestnut Drive
New Windsor, NY 12553

16-1-8.1

Joan & Donald Boehm
120 Quassaick Avenue
New Windsor, NY 12553

17-1-3

Kathleen Barry
108 Chestnut Drive
New Windsor, NY 12553

17-1-6

Mary Edna Pastino
114 Chestnut Drive
New Windsor, NY 12553

17-1-9

Frances Tersillo
127 Quassaick Avenue
New Windsor, NY 12553

17-1-12

Anne Nelson
c/o Karen Culver
8 Orchard Street
Newburgh, NY 12550

17-1-13
Jacqueline Vierboom
119 Quassaick Avenue
New Windsor, NY 12553

17-2-4
Katherine Arra
P.O. Box 891
Vails Gate, NY 12584

17-2-7
Angela Previti
112 Laurel Drive
New Windsor, NY 12553

17-2-10
Thomas Sayles
Susan Pacione
107 Holly Drive
New Windsor, NY 12553

17-2-13
John & Madge Schnitzler
101 Holly Drive
New Windsor, NY 12553

17-3-1
Adelaide & John D'Aiutolo
102 Holly Drive
New Windsor, NY 12553

17-3-4
Stephen & Lisa Thiessen
108 Holly Drive
New Windsor, NY 12553

17-3-7
Niall & Fiona Marry
114 Holly Drive
New Windsor, NY 12553

17-3-11
SallyAnn Silk
109 Pine Drive
New Windsor, NY 12553

17-3-14
Scott Hecht
125 Chestnut Drive
New Windsor, NY 12553

17-2-1
Vincent & Penny Sorbello
111 Chestnut Drive
New Windsor, NY 12553

17-2-5
Mary Elizabeth Walsh
108 Laurel Drive
New Windsor, NY 12553

17-2-8
John & Joyce Schoenberger
111 Holly Drive
New Windsor, NY 12553

17-2-11
Michael Policano
105 Holly Drive
New Windsor, NY 12553

17-2-14
James Secreto
Stephanie Hermance
121 Chestnut Drive
New Windsor, NY 12553

17-3-2
Robert Marsiglio, Jr.
104 Holly Drive
New Windsor, NY 12553

17-3-5
John & Jean Stamant
110 Holly Drive
New Windsor, NY 12553

17-3-9
Edward & Madge Sadowski
115 Pine Drive
New Windsor, NY 12553

17-3-12
Kevin Haggerty
Nancy Ricci
107 Pine Drive
New Windsor, NY 12553

17-4-1
Ronald Harsch
100 Pine Drive
New Windsor, NY 12553

17-2-3
Karan Garewal, et al
6 Brentwood Court
Mount Kisco, NY 10549

17-2-6
Wilma Harris
110 Laurel Drive
New Windsor, NY 12553

17-2-9
Richard & Bernadette Ballezza
109 Holly Drive
New Windsor, NY 12553

17-2-12
Jack & Jana Maxfield
103 Holly Drive
New Windsor, NY 12553

17-2-17
Carmine & Doreen D'Ambrosio
115 Chestnut Drive
New Windsor, NY 12553

17-3-3
May Kerwan
106 Holly Drive
New Windsor, NY 12553

17-3-6
Mark & Margaret Connolly
112 Holly Drive
New Windsor, NY 12553

17-3-10
Eleanor Lincoln
111 Pine Drive
New Windsor, NY 12553

17-3-13
Eileen Callahan
105 Pine Drive
New Windsor, NY 12553

17-4-2
Denise Visbal
102 Pine Drive
New Windsor, NY 12553

17-4-3

Frank & Margaret DiCesari
104 Pine Drive
New Windsor, NY 12553

17-4-5

Mark & Lynn O'Keefe
108 Pine Drive
New Windsor, NY 12553

17-4-6

John & Donna Bilyou
110 Pine Drive
New Windsor, NY 12553

17-4-56

Kathryn Krieser
133 Quassaick Avenue
New Windsor, NY 12553

17-4-57

Patrick & Penelope Fogarty
131 Quassaick Avenue
New Windsor, NY 12553

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 03-13-2006

FOR: ESCROW 06-08

FROM:

CHECK FROM:

Elizabeth Hornsberger
117 Chestnut Dr.
New Windsor, NY 12553


SAME

CHECK NUMBER: 520

TELEPHONE: 565-2617

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



3-17-06

NAME

DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

ZBA-06-08 Applicant Fee

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#217-2006

03/17/2006

Hornsberger, Elizabeth

Received \$ 50.00 for Zoning Board Fees, on 03/17/2006. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR

REQUEST FOR NOTIFICATION LIST

DATE: 03-13-2006

PROJECT NUMBER: ZBA# 06-08 P.B. # _____

APPLICANT NAME: **ELIZABETH HORNSBERGER**

PERSON TO NOTIFY TO PICK UP LIST:

Elizabeth Hornsberger

117 Chestnut Dr.

New Windsor, NY 12553

TELEPHONE: 565-2617

TAX MAP NUMBER: SEC. 17 BLOCK 2 LOT 16
SEC. BLOCK LOT
SEC. B LOCK LOT

PROPERTY LOCATION: **117 CHESTNUT DR**
NEW WINDSOR

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET _____)

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:

(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT)

NEW WINDSOR ZONING BOARD **XXX**

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

[illegible]

AMOUNT OF DEPOSIT: **25.00** CHECK NUMBER: **521**

TOTAL CHARGES: _____



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

_____ Application Type: Use Variance ☐ Area Variance ☐
Date Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (845) 565-2617
Elizabeth Hornsberger Fax Number: ()
(Name)
117 Chestnut Dr. New Windsor, NY 12553
(Address)

II. **Applicant:** Phone Number: (845) 565-2617
Elizabeth Hornsberger Fax Number: ()
(Name)
117 Chestnut Dr. New Windsor NY 12553
(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: ()
S-a-a Fax Number: ()
(Name)

(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number (845) - 583-6683
Fax Number: (845) - 562-2859
Rainbow Construction
(Name)
2607 Rte 55 White Lake N.Y. 12786
(Address)

V. **Property Information:**
Zone: R-4 Property Address in Question: 117 Chestnut Dr.
Lot Size: 110-150 Tax Map Number: Section 17 Block 2 Lot 16
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? 1974
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? Yes - Shed

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.	45 yds	22 yds	23 ft
Reqd. Side Yd.			
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

The roof has been in place
since 1974. Recently the roof fell down. I would
like to repair this metal roof so that my front
porch is protected from weather.

PLEASE NOTE:

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF
SUBMITTAL.**

COMPLETE THIS PAGE ☐

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Repairing of Roof would beautify front view
of home

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
- ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of area that variances is being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

6th day of February 2006

Elizabeth Hornsberger
Owner's Signature (Notarized)

Elizabeth Hornsberger
Owner's Name (Please Print)

Deborah Green
Signature and Stamp of Notary

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
#4834666
Commission Expires July 15, 2008

Elizabeth Hornsberger
Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)

06-08
5/13



ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE: \$ 50.00

*ESCROW: \$300.00

****DEPOSIT** FOR PUBLIC HEARING LIST: \$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE: \$150.00

*ESCROW: \$500.00

****DEPOSIT** FOR PUBLIC HEARING LIST: \$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE: \$150.00

*ESCROW: \$500.00

****DEPOSIT** FOR PUBLIC HEARING LIST: \$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE: \$150.00

*ESCROW: \$500.00

****DEPOSIT** FOR PUBLIC HEARING LIST: \$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

*

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

**

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

PUBLIC HEARING LIST OF PROPERTY OWNERS

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
3. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.39 STAMP. **BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING.** YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.